

## Patent claims

1. (currently amended) A shoe upper comprising~~having~~:
- 5 a ~~bottom~~lower end of the upper,
- an outer material with a ~~bottom~~lower end ~~(19)~~ of the outer material,<sup>+</sup>
- 10 a waterproof functional layer~~(16)~~, which has a ~~bottom~~lower end region of the functional layer with a functional layer zone ~~(20)~~ not covered by outer material,<sup>+</sup>
- 15 a ~~joining strip~~connecting band ~~(17)~~, which ~~runs in the peripheral direction~~extends in the direction of the periphery of the upper, and which has a connecting band upper~~top~~ longitudinal side ~~(23) of the joining strip~~, joined to the end ~~(19)~~ of the outer material, and a connecting band ~~bottom~~lower longitudinal side ~~(25) of the joining strip~~, and which at least partially overlaps the functional layer zone ~~(20)~~ and which consists of liquefiable sealing material or of
- 20 material through which liquid sealing material ~~(37; 41)~~ can flow,<sup>+</sup>
- 25 wherein at points of curvature of the lower end of the upper the connecting band extends in an arc corresponding to the local radius of curvature, with the two longitudinal sides of the connecting band having different degrees of curvature, in such a way that, for an arc sector lying in the respective curvature, with a
- 30 predetermined unitary sector angle, the arc lengths of the two longitudinal connecting band sides belonging to this arc sector differ from each other the more, the greater the curvature of
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the respective arc sector ~~is the joining strip~~  
~~(17) having at points of curvature of the bottom~~  
~~end (19) of the outer material an arcuate shape~~  
~~corresponding to the local radius of curvature,~~  
5 ~~with different degrees of curvature of the two~~  
~~longitudinal sides (23, 25) of the joining strip,~~  
~~in such a way that, for an arc sector lying in~~  
~~the respective curvature, with a predetermined~~  
~~unitary sector angle, the arc lengths belonging~~  
10 ~~to this arc sector of the two longitudinal sides~~  
~~(23) of the joining strip differ from each other~~  
~~all the more the greater the curvature in the arc~~  
~~sector respectively being considered.~~

15 2. (currently amended) The shoe upper as claimed in  
claim 1, ~~in which~~wherein the ~~bottom~~lower  
longitudinal side ~~(25)~~ of the joining  
~~strip~~connecting band is joined to the functional  
layer ~~(16)~~.

20 3. (currently amended) The shoe upper as claimed in  
claim 1, ~~in which~~wherein a region of the joining  
~~strip~~connecting band ~~(17)~~ located between the two  
longitudinal sides ~~(23, 25)~~ of the joining  
25 ~~strip~~connecting band is joined to the functional  
layer ~~(16)~~.

4. (currently amended) The shoe upper as claimed in  
~~one of claims 1 to 3~~, with a lining arranged on  
30 the inner side of the functional layer ~~(16)~~.

5. (currently amended) The shoe upper as claimed in  
claim 4, ~~in which~~wherein the functional layer  
~~(16)~~ and the lining ~~(18)~~ are equally long in the  
35 ~~bottom~~lower end region of the upper.

6. (currently amended) The shoe upper as claimed in  
claim 5, ~~in which~~wherein the functional layer

~~(16)~~—and the lining ~~(18)~~—end above the ~~bottom~~lower longitudinal side ~~(25)~~ of the ~~joining strip~~connecting band.

5 7. (currently amended) The shoe upper as claimed in claim 6, ~~in which~~wherein the functional layer ~~(16)~~—and the lining ~~(18)~~—end above the ~~bottom~~lower longitudinal side ~~(25)~~ of the ~~joining strip~~connecting band and are ~~extended~~lengthened  
10 by a second ~~joining strip~~connecting band (34)—in the direction of the ~~bottom~~lower end of the upper.

15 8. (currently amended) The shoe upper as claimed in claim 7, ~~in which~~wherein the second ~~joining strip~~connecting band (34)—consists of liquefiable sealing material or of material through which liquid sealing material ~~(37, 41)~~—can flow and wherein at points of curvature of the lower end  
20 of the upper the second connecting band extends in an arc corresponding to the local radius of curvature, with the two longitudinal sides of the connecting band having different degrees of curvature, in such a way that, for an arc sector  
25 lying in the respective curvature, with a predetermined unitary sector angle, the arc lengths of the two longitudinal connecting band sides belonging to this arc sector differ from each other the more, the greater the curvature of  
30 the respective arc sector is.

~~has at points of curvature of the bottom end of the upper an arcuate shape corresponding to the local radius of curvature, with different degrees of curvature of its two longitudinal sides of the~~  
35 ~~joining strip, in such a way that, for an arc sector lying in the respective curvature, with a predetermined unitary sector angle, the arc lengths belonging to this arc sector of the two~~

~~longitudinal sides (36, 38) of the second joining strip (34) differ from each other all the more the greater the curvature in the arc sector respectively being considered.~~

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9. (currently amended) The shoe upper as claimed in claim 7, ~~or 8, in which~~wherein a ~~bottom~~lower longitudinal side ~~(38)~~ of the second joining strip ~~connecting band (34)~~ is joined to the ~~bottom~~lower longitudinal side ~~(25)~~ of the first joining strip ~~connecting band (17)~~.

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10. (currently amended) The shoe upper as claimed in claim 4, ~~in which~~wherein the ~~bottom~~lower end of the lining is longer than the ~~bottom~~lower end of the functional layer.

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11. (currently amended) The shoe upper as claimed in claim 10, ~~in which~~wherein the ~~bottom~~lower end of the lining is joined to the ~~bottom~~lower longitudinal side ~~(25)~~ of the first joining strip ~~connecting band (17)~~.

20

12. (currently amended) The shoe upper as claimed in claim 10 ~~or 11, in which~~wherein the functional layer ~~(16)~~ and the lining ~~(18)~~ are parts of a laminate and the ~~bottom~~lower end of the functional layer is shortened with respect to ~~in comparison with the bottom~~lower end of the lining by ~~paring of the functional layer (16)~~.

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13. (currently amended) The shoe upper as claimed in ~~one of claims 1 to 12, with an insole (33)~~ joined to the ~~bottom~~lower end of the upper.

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14. (currently amended) The shoe upper as claimed in claim 13, the insole ~~(33)~~ being joined to the

~~bottom~~lower longitudinal side (25) of the first ~~joining strip~~connecting band (17).

15. (currently amended) The shoe upper as claimed in  
5 claim 13 ~~or 14 in conjunction with one of claims~~  
~~7 to 9, th, the~~ insole (33) being joined to the  
~~bottom~~lower longitudinal side of both the first  
and the second ~~joining strip~~connecting band (34).

10 16. (currently amended) The shoe upper as claimed in  
claim 13 ~~or 14 in conjunction with one of claims~~  
~~10 to 12, the~~ insole (33) being joined to the  
~~bottom~~lower end of the lining.

15 17. (currently amended) The shoe upper as claimed in  
~~one of claims 1 to 16, in which~~wherein, at points  
of the ~~bottom~~lower end of the upper with convex  
curvature, the arc length of the ~~top~~upper  
longitudinal side (23) of the first ~~joining~~  
20 ~~strip~~connecting band (17) is longer than the arc  
length of the ~~bottom~~lower longitudinal side of  
said ~~joining strip~~connecting band.

25 18. (currently amended) The shoe upper as claimed in  
~~one of claims 1 to 17, in which~~wherein, at points  
of the ~~bottom~~lower end of the upper with concave  
curvature, the arc length of the ~~bottom~~lower  
longitudinal side (25) of the first ~~joining~~  
~~strip~~connecting band (17) is longer than the arc  
30 length of the ~~top~~upper longitudinal side of said  
~~joining strip~~connecting band.

19. (currently amended) The shoe upper as claimed in  
~~one of claims 1 to 18 in conjunction with claim 8~~  
35 ~~or 9, in which~~wherein, at points of the  
~~bottom~~lower end of the upper with convex  
curvature, the arc length of the ~~top~~upper  
longitudinal side (23) of the second ~~joining~~

~~strip~~connecting band (34) is longer than the arc length of the ~~bottom~~lower longitudinal side of said ~~joining strip~~connecting band.

5    20. (currently amended) The shoe upper as claimed in  
~~one of claims 1 to 19 in conjunction with one of~~  
~~claims 7 to 9, in which~~wherein, at points of the  
~~bottom~~lower end of the upper with concave  
10    curvature, the arc length of the ~~bottom~~lower  
longitudinal side of the second ~~joining~~  
~~strip~~connecting band (34) is longer than the  
~~top~~upper longitudinal side of said ~~joining~~  
~~strip~~connecting band.

15    21. (currently amended) The shoe upper as claimed in  
~~one of claims 1 to 20, in which~~wherein the  
functional layer zone (20) ~~not covered by outer~~  
material (13) is formed by an overhang of the end  
20    region (21) of the functional layer with respect  
to the end (19) of the outer material.

22. (currently amended) The shoe upper as claimed in  
~~one of claims 1 to 21, in which~~wherein the  
~~bottom~~lower longitudinal side (25) of the first  
25    ~~joining strip~~connecting band (17) is joined to a  
~~bottom~~lower ~~border~~edge of the functional layer.

23. (currently amended) The shoe upper as claimed in  
~~one of claims 1 to 22, with a substantially rigid~~  
30    ~~joining strip~~connecting band (17), ~~in~~  
~~which~~wherein the differences in arc length,  
dependent on the respective arc curvature, of the  
two longitudinal sides (23, 25) of the ~~joining~~  
~~strip~~connecting band are incorporated  
35    correspondingly into the band at the production  
stage~~incorporated by corresponding production~~.

24. (currently amended) The shoe upper as claimed in claim 23, with a punched ~~joining strip~~connecting band ~~(17)~~.
- 5 25. (currently amended) The shoe upper as claimed in claim 23, with an injection-molded ~~joining strip~~connecting band ~~(17)~~.
- 10 26. (currently amended) The shoe upper as claimed in ~~one of claims 1 to 22~~, with an elastically ~~exten~~extendible~~sible~~ ~~joining strip~~connecting band ~~(17)~~, which is joined on at least one of its longitudinal sides ~~(23, 25)~~ to the associated material while being subjected to~~under~~ longitudinal tensile ~~prestress~~pre-stress.
- 15 27. (currently amended) The shoe upper as claimed in ~~one of claims 1 to 22~~, with a deformable ~~joining strip~~connecting band, which is joined on at least one of its longitudinal sides ~~(23, 25)~~ to the associated material while being subjected to~~under~~ longitudinal tensile ~~prestress~~pre-stress leading to plastic deformation.
- 20 28. (currently amended) The shoe upper as claimed in ~~one of claims 1 to 22, 26 and 27~~, in which~~wherein~~ the ~~joining strip~~connecting band ~~(17)~~ is joined on its ~~bottom~~lower longitudinal side to the associated material ~~under~~while being subjected to longitudinal tensile ~~prestress~~pre-stress.
- 25 30 29. (currently amended) The shoe upper as claimed in ~~one of claims 1 to 28~~, in which~~wherein~~ the first longitudinal side ~~(23)~~ of the ~~joining strip~~connecting band ~~(17)~~ is sewn to the end ~~(19)~~ of the outer material.
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30. (currently amended) The shoe upper as claimed in ~~one of claims 1 to 29, in which~~wherein the ~~bottom~~lower longitudinal side ~~(25)~~ of the ~~joining strip~~connecting band ~~(17)~~ is sewn to the functional layer ~~(16)~~.
31. (currently amended) The shoe upper as claimed in ~~one of claims 1 to 30, wherein~~ the ~~joining strip~~connecting band ~~(17)~~ ~~of which~~ is non-porous.
32. (currently amended) The shoe upper as claimed in claim 31, wherein the ~~joining strip~~connecting band ~~(17)~~ ~~of which~~ is constructed with a sealing material ~~(37)~~ which can be activated by means of activation energy, selected from the forms of energy thermal energy, high-frequency energy, infrared energy and UV energy, into a temporarily liquid state.
33. (currently amended) The shoe upper as claimed in claim 31 for footwear with a molded-on sole, wherein the ~~joining strip~~connecting band ~~(17)~~ ~~of which~~ consists of a material which can be melted by hot-liquid sole material ~~which is hot-liquid~~ during the molding-on of the sole.
34. (currently amended) The shoe upper as claimed in ~~one of claims 31 to 33, wherein~~ the ~~joining strip~~connecting band ~~(17)~~ ~~of which~~ is formed by a polyurethane strip.
35. (currently amended) The shoe upper as claimed in ~~one of claims 1 to 30, wherein~~ the ~~joining strip~~connecting band ~~(17)~~ ~~of which~~ is porous in such a way that it can be penetrated by liquid sealing material ~~(37, 41)~~.



36. (currently amended) The shoe upper as claimed in claim 35, wherein the joining-stripconnecting band (17) of which is formed by a gauze-stripnet band, which has an topupper longitudinal web (23) on its topupper longitudinal side and a bottomlower longitudinal web (25) on its bottomlower longitudinal side, which webs are joined to each other by means of transverse webs (27).
37. (currently amended) The shoe upper as claimed in claim 36, whereinin which at least the bottomlower longitudinal web (25) is constructed usingwith elastically compliant material.
38. (currently amended) The shoe upper as claimed in claim 36 or 37, whereinin which the transverse webs (27) are constructed usingwith non-elastic material.
39. (currently amended) The shoe upper as claimed in one of claims 36 to 38, whereinin which the gauze stripnet band is woven, and wherein longitudinal threads, serving as warp threads, of which at least some are elastic, at least with regard to the topupper longitudinal web (23), arebeing present only in the regions of the longitudinal webs (23, 25), and the transverse webs (27) arebeing formed by weft threads.
40. (currently amended) The shoe upper as claimed in one of eclaims 1 to 12 and 17 to 39, whereinin which the bottomlower longitudinal side (25) of the first joining-stripconnecting band (17) is joined to a string-lasting tunnel (47), arranged in whichwherein is a lashing string is arranged (49), which is longitudinally movable in relation to the string-lasting tunnel (47) and whoseby the

lashing together ~~of which~~ tautens the ~~bottom~~ lower end region of the upper ~~is tensioned~~ in the inward direction in such a way that the ~~bottom~~ lower end region of the upper with the ~~joining strip~~ connecting band (17) ~~run~~ extend in the direction of the extent of an outsole ~~(41)~~ still to be applied.

41. (currently amended) The shoe upper as claimed in claim 40, ~~wherein~~ in which the ~~bottom~~ lower end of the functional layer or the ~~bottom~~ lower end of the lining or the ~~bottom~~ lower longitudinal side ~~(38)~~ of the second ~~joining strip~~ connecting band ~~(34)~~ is joined to a string-lasting tunnel ~~(47)~~, ~~arranged in which~~ wherein ~~is a~~ lashing string ~~(49)~~ is arranged, which is longitudinally movable in relation to the string-lasting tunnel ~~(47)~~.

42. (currently amended) The shoe upper as claimed in claim 41, ~~wherein~~ in which the ~~bottom~~ lower longitudinal side ~~(25)~~ of the first ~~joining strip~~ connecting band (17) and the ~~bottom~~ lower end of the functional layer or the ~~bottom~~ lower end of the lining or the ~~bottom~~ lower longitudinal side ~~(38)~~ of the second ~~joining strip~~ connecting band ~~(34)~~ are joined to one and the same string-lasting tunnel ~~(47)~~.

43. (currently amended) The shoe upper as claimed in ~~one of claims 1 to 42~~, wherein the functional layer ~~(16)~~ ~~of which~~ is water-vapor-permeable.

44. (currently amended) The shoe upper as claimed in claim 43, wherein the functional layer ~~(16)~~ ~~of which~~ has a layer of microporous PTFE.

45. (currently amended) The shoe upper as claimed in ~~one of claims 26 to 44~~, wherein the joining

~~strip~~connecting band ~~(17)~~ ~~of which~~ has an ~~extensibility~~extendibility of at least 20%.

5 46. (currently amended) Footwear with a shoe upper as claimed in ~~one of e~~claims 1 to 45.

10 47. (currently amended) The footwear as claimed in claim 46, further comprising~~with~~ a sealing material ~~(37, 41)~~, which seals the functional layer zone ~~(20)~~ in a waterproof manner in a sealing material zone that ~~run~~extends ~~around~~ in the peripheral direction of the ~~bottom~~lower end of the upper.

15 48. (currently amended) The footwear as claimed in claim 47, further comprising ~~with~~ a molded-on sole, whose ~~the~~ sealing material ~~of which~~ is formed by sole material ~~(41)~~ which is liquid during the molding-on of the sole and, which by penetrating through the porous first ~~joining~~  
20 ~~strip~~connecting band ~~(17)~~, seals in a waterproof manner at least part of the width of the functional layer zone ~~(20)~~.

25 49. (currently amended) The footwear as claimed in claim 47, wherein the sealing material ~~(37)~~ ~~of which~~ is formed by adhesive which leads to waterproofness in the cured state and, which, by penetrating through the porous first ~~joining~~  
30 ~~strip~~connecting band ~~(17)~~, seals in a waterproof manner at least part of the width of the functional layer zone ~~(20)~~.

35 50. (currently amended) The footwear as claimed in claim 49, wherein~~with~~ the sealing material comprises~~(37)~~ ~~in the form of~~ reactive hot-melt adhesive, which leads to waterproofness in the fully reacted state.

51. (currently amended) The footwear as claimed in  
~~one of claims 46 to 50, further comprising~~ with an  
insole ~~(33)~~, the ~~bottom~~lower end of the upper and  
5 the functional layer zone ~~(20) running~~extend in  
the direction of the extent of the insole ~~(33)~~.
52. (currently amended) The footwear as claimed in  
claim 51, ~~wherein~~in ~~which~~ the insole ~~(33)~~ is  
10 joined to the functional layer ~~(16)~~ and the  
~~bottom~~lower longitudinal side of the first  
~~joining strip~~connecting band ~~(17)~~ by means of a  
Strobel seam ~~(35)~~.
- 15 53. (currently amended) The footwear as claimed in  
claim 51, ~~wherein~~in ~~which~~ the ~~bottom~~lower end of  
the upper is lasted by means of lasting cement  
~~(45)~~ onto a ~~bottom~~lower peripheral edge~~border~~ of  
the insole ~~(33)~~.
- 20 54. (currently amended) The footwear as claimed in  
~~one of claims 46 to 53, further comprising~~ with a  
sheet-like waterproof sealing layer, which is  
applied to the underside of the ~~bottom~~lower end  
25 of the upper such that it extends parallel to a  
still to be applied sole ~~(41)~~ in such a way that  
a ~~bottom~~lower opening of the upper is sealed as  
far as the sealing material zone.
- 30 55. (currently amended) The footwear as claimed in  
claim 54, ~~wherein~~in ~~which~~ the sealing layer is  
formed by a sealing sheet ~~(39)~~, which is cemented  
onto the underside of the insole.
- 35 56. (currently amended) The footwear as claimed in  
claim 55, wherein the sealing sheet ~~(39)~~ ~~of which~~  
has a waterproof functional layer ~~(16)~~.

57. (currently amended) A process for producing a shoe upper, which ~~comprises~~~~is constructed with~~ an outer material~~—(13)~~ and a waterproof functional layer~~—(16)~~ arranged on the inner side of the outer material~~—(13)~~ with the upper having~~and has~~ a bottom~~lower~~ end~~of the upper~~, comprising with the ~~following production steps~~:

providing an outer~~—~~ material piece cut in the form of the upper~~is provided~~;

providing a functional-layer piece cut in the ~~shape~~~~form~~ of the shoe upper~~is provided~~, cut in such a way that a bottom~~lower~~ end region of the functional-layer piece has a functional layer zone~~—(20)~~ that is not covered by the outer material~~—(13)~~ after the functional-layer piece has been arranged in the correct position on the inner side of the outer-material piece;

joining the bottom~~lower~~ ~~border~~edge of the outer-material piece ~~is joined across~~~~over~~ its entire periphery to an top~~upper~~ longitudinal side~~—(23)~~ of a ~~joining strip~~connecting band~~—(17)~~ consisting of liquefiable sealing material or of material through which liquid sealing material~~—(37, 41)~~ can flow;

providing the ~~joining strip~~connecting band,~~—(17)~~ ~~being provided~~ at points of curvature of the bottom~~lower~~ end of the upper with an arcuate shape corresponding to the local radius of curvature, with different degrees of curvature of the two longitudinal sides~~—(23, 25)~~ of the ~~joining strip~~connecting band, in such a way that, for an arc sector lying in the respective curvature, with a predetermined unitary sector angle, the arc lengths of the two longitudinal

5        connecting band sides belonging to this arc  
sector ~~of the two longitudinal sides (23, 25) of~~  
~~the joining strip~~ differ from each other ~~all~~ the  
more the greater the curvature ~~of~~ in the arc  
sector ~~is~~ respectively being ~~considered~~.

10        58. (currently amended) The process as claimed in  
claim 57, ~~wherein~~ in which ~~the the bottomlower~~  
longitudinal side ~~—(25)~~ of the ~~joining~~  
~~strip~~ connecting band is joined to the functional  
layer ~~—(16)~~.

15        59. (currently amended) The process as claimed in  
claim 57, ~~wherein~~ which ~~a region of the joining~~  
~~strip~~ connecting band ~~—(17)~~ located between the two  
longitudinal sides ~~—(23, 25)~~ of the ~~joining~~  
~~strip~~ connecting band is joined to the functional  
layer ~~—(16)~~.

20        60. (currently amended) The process as claimed in  
~~one of~~ ~~claims 57 to 59~~, ~~wherein~~ which a lining  
~~—(18)~~ is arranged on the inner side of the  
functional layer ~~—(16)~~.

25        61. (currently amended) The process as claimed in  
claim 60, ~~wherein~~ which the functional layer ~~—(16)~~  
and the lining ~~—(18)~~ are cut made to ~~equally~~  
lengths ~~long~~ at the ~~bottomlower~~ end of the upper.

30        62. (currently amended) The process as claimed in  
claim 61, ~~wherein~~ which the functional layer ~~—(16)~~  
and the lining ~~—(18)~~ are made to end above the  
~~bottomlower~~ longitudinal side ~~—(25)~~ of the ~~joining~~  
~~strip~~ connecting band.

35        63. (currently amended) The process as claimed in  
claim 62, ~~wherein~~ which the functional layer ~~—(16)~~  
and the lining ~~—(18)~~ are lengthen extended by a

second ~~joining strip~~connecting band—(34) in the direction of the ~~bottom~~lower end of the upper.

5 64. (currently amended) The process as claimed in claim 63, wherein ~~which~~—a second ~~joining strip~~connecting band—(34) consisting of liquefiable sealing material or of material through which liquid sealing material—(37, 41)—can flow is used and has at points of curvature of the ~~bottom~~lower end of the upper an arcuate shape corresponding to the local radius of curvature, with different degrees of curvature of ~~the~~its two longitudinal sides—(36, 38) of the ~~joining strip~~connecting band, in such a way that, 10 for an arc sector lying in the respective curvature, with a predetermined unitary sector angle, the arc lengths of the two longitudinal sides of the second connecting band belonging to this arc sector—~~of the two longitudinal sides (36, 38) of the second joining strip (34)~~ differ from each other all the more, the greater the curvature in the arc sector is~~respectively being~~ considered.

25 65. (currently amended) The process as claimed in claim 63—~~or 64~~, wherein—~~which~~ a ~~bottom~~lower longitudinal side—(38) of the second ~~joining strip~~connecting band—(34) is joined to the ~~bottom~~lower longitudinal side—(25) of the first 30 ~~joining strip~~connecting band—(17).

35 66. (currently amended) The process as claimed in claim 60, ~~in which~~wherein the ~~bottom~~lower end of the lining is made longer than the ~~bottom~~lower end of the functional layer.

67. (currently amended) The process as claimed in claim 66, ~~in which~~wherein the ~~bottom~~lower end of

the lining is joined to the bottomlower longitudinal side—(25) of the first joining stripconnecting band—(17).

5 68. (currently amended) The process as claimed in claim 66—~~or 67~~, ~~in which~~wherein a laminate comprising the functional layer—(16) and the lining—(18) is used and the bottomlower end of the functional layer is shortened with respect  
10 to~~in comparison with~~ the bottomlower end of the lining by paring of the functional layer—(16).

69. (currently amended) The process as claimed in—~~one of~~—~~claims 57 to 68~~, ~~in which~~wherein the  
15 bottomlower end of the upper is is joined to an insole—(33).

70. (currently amended) The process as claimed in claim 69, ~~in which~~wherein the insole—(33) is  
20 joined to the bottomlower longitudinal side—(25) of the first joining stripconnecting band—(17).

71. (currently amended) The process as claimed in claim 69—~~or 70 in conjunction with one of claims~~  
25 ~~64 to 66~~, ~~in which~~wherein the insole—(33) is joined to the bottomlower longitudinal side of both the first and the second joining stripconnecting band—(34).

30 72. (currently amended) The process as claimed in claim 70—~~or 71 in conjunction with one of claims~~  
~~66 to 68~~, ~~in which~~wherein the insole—(33) is joined to the bottomlower end of the lining.

35 73. (currently amended) The process as claimed in—~~one of~~—~~claims 57 to 72~~, ~~in which~~wherein the arc length of the upper longitudinal side of the connecting band is made longer than the arc



length of the lower longitudinal side of the  
connecting band, at points of the ~~bottom~~ lower end  
of the upper with convex curvature, ~~the arc~~  
length of the top longitudinal side (23) of the  
5 joining strip is made longer than the arc length  
of the bottom longitudinal side (25) of the  
joining strip.

74. (currently amended) The process as claimed in ~~one~~  
10 of claims 57 to 74, in ~~which~~ wherein, at points of  
the end of the upper with concave curvature, the  
arc length of the ~~bottom~~ lower longitudinal side  
(25) of the ~~joining strip~~ connecting band is made  
longer than the arc length of the ~~top~~ upper  
15 longitudinal side (23) of the ~~joining~~  
~~strip~~ connecting band at points of the end of the  
upper with concave curvature.

75. (currently amended) The process as claimed in ~~one~~  
20 of claims 57 to 74, in ~~which~~ wherein the  
functional layer zone (20) is formed by an  
overhang of the functional layer (16) with  
respect to the lower ~~border~~ edge of the outer-  
material piece (19).

25 76. (currently amended) The process as claimed in ~~one~~  
of claims 57 to 75, wherein ~~the using a~~  
~~substantially rigid joining strip~~ connecting band  
is substantially rigid and (17), in ~~which~~ wherein  
30 the differences in arc length, dependent on the  
respective arc curvature, of the two longitudinal  
sides (23, 25) of the ~~joining strip~~ connecting  
band are incorporated by corresponding  
production.

35 77. (currently amended) The process as claimed in  
claim 76, wherein the connecting band is ~~using a~~  
punched ~~joining strip~~ connecting band (17).

78. (currently amended) The process as claimed in claim 76, wherein the connecting band is using an injection-molded joining strip connecting band  
5 (17).
79. (currently amended) The process as claimed in ~~one of claim s 57 to 75~~, wherein the using an elastically extendible joining  
10 strip connecting band (17) is elastically extendible and, which is joined on at least one of its longitudinal sides (23, 25) to the associated material underwhile being subjected to longitudinal tensile prestresspre-stress.
80. (currently amended) The process as claimed in ~~one of claims 57 to 75~~, wherein the using a non-elastically extendible joining strip connecting band (17) is non-elastically extendible and ,  
20 which is joined on at least one of its longitudinal sides (23, 25) to the associated material underwhile being subjected to longitudinal tensile prestresspre-stress leading to plastic deformation.
81. (currently amended) The process as claimed in ~~one of claims 57 to 75, 79 and 80~~, in which wherein the bottomlower end of the borderededge of the functional layer is joined to the bottomlower longitudinal side of the extendibleextendible joining strip connecting band (17) underwhile being subjected to longitudinal tensile prestresspre-stress of the joining strip connecting band (17) leading to elastic or  
30 non-elastic deformation.
82. (currently amended) The process as claimed in ~~one of claims 57 to 81~~, wherein using thea joining

~~strip~~connecting band ~~(17)~~ ~~which~~ is constructed ~~comprising~~with a sealing material ~~(37)~~ which can be activated by means of activation energy, selected from the forms of energy thermal energy, high-frequency energy, infrared energy and UV energy, into a temporarily liquid state.

83. (currently amended) The process as claimed in ~~one~~ of claims 57 ~~to~~ 81, wherein ~~using the~~ a joining ~~strip~~connecting band ~~(17)~~ ~~comprises~~consisting of a material which can be melted by ~~sole material~~ which is hot-liquid sole material during the molding-on of the sole ~~(41)~~.

84. (currently amended) The process as claimed in claim 82 ~~or~~ 83, wherein ~~the~~ a joining ~~strip~~connecting band ~~(17)~~ is formed by a polyurethane strip.

85. (currently amended) The process as claimed in ~~one~~ of ~~claims~~ 5 57 ~~to~~ 81, using~~wherein the~~ a porous ~~joining strip~~connecting band ~~(17)~~ which is porous and can be penetrated by liquid sealing material ~~(37, 41)~~.

86. (currently amended) The process as claimed in ~~one~~ of claims 57 ~~to~~ 81, ~~in which~~wherein the connecting band is a gauze strip~~net band~~ is used ~~as the joining strip~~ ~~(17)~~, which ~~gauze strip~~ has an ~~top~~upper longitudinal web ~~(23)~~ on its ~~top~~upper longitudinal side and a ~~bottom~~lower longitudinal web ~~(25)~~ on its ~~bottom~~lower longitudinal side, which webs are joined to each other by means of transverse webs ~~(27)~~.

87. (currently amended) The process as claimed in claim 86, ~~a gauze strip in which~~wherein at least the ~~bottom~~lower longitudinal web ~~(25)~~ is

constructed usingwith elastically compliant material—~~being used~~.

5 88. (currently amended) The process as claimed in claim 86—~~or 87~~, a ~~gauze strip in which~~wherein the transverse webs—(27)—are constructed usingwith non-elastic material being used.

10 89. (currently amended) The process as claimed in—~~one of claims 79 to 88~~, in ~~which~~wherein ~~thea~~ joining stripconnecting band—(17)—haswith an ~~extensibility~~extendibility of at least 20%—~~is used~~.

15 90. (currently amended) The process as claimed in—~~one of claims 57 to 89~~, in ~~which~~wherein the ~~bottom~~lower end of the lining ~~border~~edge and the ~~bottom~~lower longitudinal side—(25)—of the ~~joining stripconnecting band~~—(17)—are joined to a string-lasting tunnel—(47)—, which receives a lashing string—(49)— which is longitudinally movable in relation to the string-lasting tunnel—(47)—, and, by lashing together of the lashing string—(49)—, a ~~bottom~~lower end region of the upper is  
20 ~~tautened~~ensioned with the lining border and the ~~joining strip~~—(17)— in the ~~in~~in ~~wain~~ward direction in such a way that the ~~bottom~~lower end region of the upper with the lining ~~border~~edge and the ~~joining stripconnecting band~~—(17)—  
25 ~~run~~extend in the direction of the extent of a sole—(41)— still to be applied.

30 91. (currently amended) The process as claimed in—~~one of claims 57 to 90~~, in ~~which~~wherein the functional layer zone—(20)— is sealed in a waterproof manner by a sealing material—(37; 41)— in a sealing material zone that ~~runs~~

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~~around~~extends in the peripheral direction of the end of the upper.

- 5 92. (currently amended) A process for producing footwear, ~~using~~wherein a shoe upper is used which has been produced by the process as claimed in ~~one of claims 57 to 91~~.
- 10 93. (currently amended) The process as claimed in claim 92, ~~in which~~wherein there is molded onto the upper (11) a sole ~~(41)~~ made of sole material which is liquid during the molding-on and, which by penetrating through the porous ~~joining strip~~connecting band ~~(17)~~, seals in a waterproof manner at least part of the width of the functional layer zone ~~(20)~~.
- 15 94. (currently amended) The process as claimed in claim 92, ~~using~~wherein ~~thea~~ sealing material ~~(37)~~ is in the form of a sealing adhesive which leads to waterproofness in the cured state and, which by penetrating through the porous ~~joining strip~~connecting band ~~(17)~~, seals in a waterproof manner at least part of the functional layer zone
- 20 25 ~~(20)~~.
95. (currently amended) The process as claimed in claim 94, ~~using~~wherein ~~thea~~ sealing material ~~(37)~~ is in the form of reactive hot-melt adhesive, which leads to waterproofness in the fully reacted state.
- 30 96. (currently amended) The process as claimed in ~~one of claims 92 to 95~~, ~~in which~~wherein a ~~bottom~~lower end region of the upper is aligned in such a way that it ~~run~~extends in the direction of the extent of an outsole ~~(41)~~ still to be applied, and the
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~~bottom~~lower end region of the upper is joined to an insole—(33).

5 97. (currently amended) The process as claimed in claim 96, ~~in which~~wherein the joining to the insole—(33) is achieved~~produced~~ by means of a Strobel seam—(35).

10 98. (currently amended) The process as claimed in claim 96, ~~in which~~wherein the joining to the insole—(33) is achieved~~produced~~ by means of a lasting operation using lasting cement—(45).

15 99. (currently amended) The process as claimed in ~~one~~ ~~of claims 92 to 98~~, ~~in which~~wherein a sheet-like waterproof sealing layer, which seals a ~~bottom~~lower opening of the upper as far as the sealing material zone, is applied to the underside of the end region of the upper turned  
20 back in the direction of the extent of the sole.

100. (currently amended) The process as claimed in claim 99, ~~in which~~wherein a sealing sheet—(39) is cemented onto the underside of the insole as  
25 the sealing layer.